

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

July 22, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.:09OD-059

OAHU

Grant of Perpetual Non-Exclusive Easement to Hawaiian Electric Company, Inc.
for Utility Purposes; Issuance of Construction and Management Right-of-Entry;
Waipio, Ewa, Oahu; Tax Map Key: (1) 9-5-048:052 portion

APPLICANT:

Hawaiian Electric Company, Inc. whose business and mailing address is P.O. Box 2750,
Honolulu, Hawaii 96840-0001.

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waipio, Ewa, Oahu; identified by tax map key
(1) 9-5-048:052 portion, as shown on the attached map labeled Exhibit A.

AREA:

70 square feet, more or less.

ZONING:

State Land Use District: Urban

City & County of Honolulu LUO: P-2, General Preservation

TRUST LAND STATUS:

Non-ceded land; acquired after Statehood

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 3595, setting aside to the Department of Education for library purposes.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain and repair over, under and across State-owned land for utility purposes.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

One-time payment to be determined by independent appraisal, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 2, that states: "Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced."

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>x</u>	NO <u> </u>
Registered business name confirmed:	YES <u>x</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>x</u>	NO <u> </u>

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Pay for an appraisal to determine a one-time payment;
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;
- 3) Process and obtain subdivision at Applicant's own cost.

REMARKS:

According to HECO's customer installations engineer, the City and County of Honolulu (City) requested that an existing unmetered traffic signals be converted to metered traffic signals so that the billing process by HECO can be monitored more accurately. Thus, HECO would like to change the existing City owned transformer to a HECO owned transformer and then install an electric meter beside it. HECO requests the subject easement be granted from the State to do so. The requested subject easement site is located at Mililani Library, along Makaimoimo Street.

Further, pursuant to Board approval of the easement to HECO, a construction and management right-of-entry is also being requested from the State; allowing the work to proceed during the interim period required to finalize the easement document.

HECO has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

The Department of Education-Hawaii State Public Library System has no objections to the subject request, as shown on the attached Exhibit B.

The Board of Water Supply, Department of Facility Maintenance and the State Historic Preservation Division have no objections/comments to the subject request.


The Department of Health, Commission on Water Resource Management, Department of Planning and Permitting and the Office of Hawaiian Affairs have not responded as of the suspense date of this request.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the issuance of a perpetual non-exclusive easement to Hawaiian Electric Company, Inc. covering the subject area for utility purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;

- B. Review and approval by the Department of the Attorney General; and
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Issuance of a construction and management right-of-entry to Hawaiian Electric Company, Inc. covering the subject area for utility purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
- A. The standard terms and conditions of the most current right-of-entry document form, as may be amended from time to time; and
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



PLAT 01

MEHENDI

PARKWAY

152

1.510 Ac

Young Men's Christian Association

Ac.

HIKIKAUULA

性

7.707 AC

City & County of Honolulu

MAHUL

CE

100

1

01066

SINCE

LALAI

PLACE

01AT

40

LILILEHUA

STREET.

STREET

STREET

SUBJECT

PLAT

536

47 Mithani Town Association

100

1

EXHIBIT "A"

**FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE**

DROPPED PARCELS: 4

HAALOHI

DEPARTMENT OF FINANCE
PROPERTY ASSESSMENT DIVISION
TAX MAPS SECTION
STATE OF HAWAII
TAX MAP

ZONE	SEC	PLAT
9	5	48

SCALE: 1 IN. = 50 FT.

SCALE: 1 BL = 50 FT

LINDA LINGLE
GOVERNOR OF HAWAII

08:30:31

06-16-2009

1 / 5

LAUREN D. ENGLISH
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 13, 2009

Ref. No.: 09OD-059

MEMORANDUM

TO:

State Agencies:

- ☒ DOH-Environmental Health Planning
- ☐ DHHL
- ☐ DLNR-Aquatic Resources
- ☐ DLNR-Forestry & Wildlife
- ☒ DLNR-Historic Preservation
- ☐ DLNR-State Parks
- ☐ DLNR-Conservation and Coastal Lands
- ☒ DLNR-Water Resource Management
- ☒ DOE

County Agencies:

- ☒ Planning and Permitting
- ☐ Parks & Recreation
- ☒ Facility Maintenance
- ☒ Board of Water Supply

Federal Agencies:

- ☐ Corps of Engineers
- ☐ NRCS

Other Agencies:

- ☒ Office of Hawaiian Affairs

FROM:

Timmy Chee, Land Agent
TC

SUBJECT:

Request for a Utility Easement at Mililani Library

LOCATION:

Waipio, Ewa, Oahu; Tax Map Key: (1) 9-5-048: 052 portion

APPLICANT: Hawaiian Electric Company, Inc.

Transmitted for your review and comment is a copy of the draft Board submittal for the above referenced request involving State lands. We would appreciate your comments on this application. Please submit any comments by June 13, 2009. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0408. Thank you.

Attachments

- ☒ We have no objections.
- ☐ We have no comments.
- ☐ Comments are attached.

Signed: *[Signature]*Date: *7/9/09***EXHIBIT "B"**